

House Criminal Justice Subcommittee Am. #1

Amendment No. \_\_\_\_\_

\_\_\_\_\_  
Signature of Sponsor

FILED
Date _____
Time _____
Clerk _____
Comm. Amdt. _____

AMEND Senate Bill No. 197\*

House Bill No. 274

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 40-35-501, is amended by adding the following new subsection:

(v)

(1)

(A) If a person received a sentence or sentences for first degree murder or second degree murder committed before the person was eighteen (18) years of age and the release eligibility date for the sentence imposed is greater than thirty (30) years from the date of sentencing, then the person is first eligible for release after service of thirty (30) calendar years. The release eligibility date for any other offense sentenced to run consecutively or concurrently to the first degree murder or second degree murder sentence or sentences shall remain the same, but shall not operate to extend the release eligibility date for the first degree murder or second degree murder offenses beyond thirty (30) calendar years. This subdivision (v)(1)(A) shall also apply to persons serving a sentence of imprisonment for life without the possibility of parole.

(B) The sentence or sentences of a person described in subdivision (v)(1)(A) shall be reduced by any sentence reduction credits earned and retained and credit for any time served in a county jail or



0992164318



\*006878\*

juvenile facility but in no event shall these credits operate to make the person eligible for release prior to service of thirty (30) calendar years.

(2) This subsection (v) is intended to be retroactive and shall apply to a person described in subdivision (v)(1)(A) whether the offense was committed prior to July 1, 2017, or on or after July 1, 2017.

SECTION 2. This act shall take effect July 1, 2017, the public welfare requiring it.

House Criminal Justice Subcommittee Am. #1

Amendment No. \_\_\_\_\_

\_\_\_\_\_  
Signature of Sponsor

FILED
Date _____
Time _____
Clerk _____
Comm. Amdt. _____

AMEND Senate Bill No. 1241

House Bill No. 452\*

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 39-17-1307, is amended by deleting subdivisions (b)(2) and (b)(3) and substituting instead the following:

(2) An offense under subdivision (b)(1)(A) is a Class B felony.

(3) An offense under subdivision (b)(1)(B) is a Class C felony.

SECTION 2. This act shall take effect July 1, 2017, the public welfare requiring it, and shall apply to any person committing an applicable offense on or after July 1, 2017.



0016705018



\*006985\*

House Criminal Justice Subcommittee Am. #1

Amendment No. \_\_\_\_\_

\_\_\_\_\_  
Signature of Sponsor

FILED
Date _____
Time _____
Clerk _____
Comm. Amdt. _____

AMEND Senate Bill No. 477\*

House Bill No. 1411

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 39-15-401, is amended by deleting from subsection (a) the following language:

provided, however, that, if the abused child is eight (8) years of age or less, the penalty is a Class D felony.

and substituting instead the following language:

provided, however, that if the abused child is eight (8) years of age or less or suffers from an intellectual disability, the penalty is a Class D felony.

SECTION 2. Tennessee Code Annotated, Section 39-15-401, is further amended by deleting from subsection (b) the following language:

provided, that, if the abused or neglected child is eight (8) years of age or less, the penalty is a Class E felony.

and substituting instead the following language:

provided, however, that if the abused or neglected child is eight (8) years of age or less or suffers from an intellectual disability, the penalty is a Class E felony.

SECTION 3. Tennessee Code Annotated, Section 39-15-401, is further amended by deleting from subdivision (c)(1) the following language:

A parent or custodian of a child eight (8) years of age or less commits child endangerment who knowingly exposes such child

and substituting instead the following language:

A parent or custodian of a child who is eight (8) years of age or less or who suffers from



070142761



\*007044\*

an intellectual disability commits child endangerment who exposes the child

SECTION 4. Tennessee Code Annotated, Section 39-15-401, is further amended by deleting subsection (g) and substituting instead the following:

(g) As used in this section:

(1) "Adversely affect the child's health and welfare" includes, but is not limited to, the natural effects of starvation or dehydration; and

(2) "Intellectual disability" means significantly subaverage general intellectual functioning as evidenced by a functional intelligence quotient (I.Q.) of seventy (70) or below and deficits in adaptive behavior.

SECTION 5. This act shall take effect July 1, 2017, the public welfare requiring it.

House Criminal Justice Subcommittee Am. #1

Amendment No. \_\_\_\_\_

\_\_\_\_\_  
Signature of Sponsor

**FILED**

Date \_\_\_\_\_

Time \_\_\_\_\_

Clerk \_\_\_\_\_

Comm. Amdl. \_\_\_\_\_

**AMEND Senate Bill No. 1334**

**House Bill No. 1296\***

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 40-32-101, is amended by deleting the language "twenty-five thousand dollars (\$25,000)" in subdivision (g)(1)(C)(iv)(i) and substituting instead the language "fifty thousand dollars (\$50,000)".

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it, and shall apply to petitions filed on or after that date.



062946721



\*005184\*

House Criminal Justice Subcommittee Am. #1

Amendment No. \_\_\_\_\_

\_\_\_\_\_  
Signature of Sponsor

FILED
Date _____
Time _____
Clerk _____
Comm. Amdt. _____

AMEND Senate Bill No. 931\*

House Bill No. 1158

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 39-17-1002, is amended by adding the following definition:

( ) "Nudity" has the same meaning as defined in § 39-17-901;

SECTION 2. Tennessee Code Annotated, Section 39-17-1003(a), is amended by deleting the subsection and substituting instead the following:

(a) It is unlawful for any person to knowingly possess material that includes a minor:

- (1) Engaged in sexual activity;
- (2) Engaged in simulated sexual activity that is patently offensive; or
- (3) In a state of nudity, if the material is possessed by the defendant for the purpose of sexual arousal or gratification.

SECTION 3. Tennessee Code Annotated, Section 39-17-1004(a)(1), is amended by deleting the subdivision and substituting instead the following:

(1) It is unlawful for a person to knowingly promote, sell, distribute, transport, purchase, or exchange material, or possess with the intent to promote, sell, distribute, transport, purchase, or exchange material, that includes a minor:

- (A) Engaged in sexual activity;
- (B) Engaged in simulated sexual activity that is patently offensive; or



089934941



\*006293\*

(C) In a state of nudity, if the defendant knows or reasonably should know that the material will be used for the purpose of sexual arousal or gratification.

SECTION 4. Tennessee Code Annotated, Section 39-17-1004(b)(1), is amended by deleting the subdivision and substituting instead the following:

(1) It is unlawful for a person to knowingly promote, sell, distribute, transport, purchase, or exchange material that is obscene, as defined in § 39-17-901, or possess material that is obscene, with the intent to promote, sell, distribute, transport, purchase, or exchange the material, which includes a minor:

(A) Engaged in sexual activity;

(B) Engaged in simulated sexual activity that is patently offensive; or

(C) In a state of nudity, if the defendant knows or reasonably should know that the material will be used for the purpose of sexual arousal or gratification.

SECTION 5. Tennessee Code Annotated, Section 39-17-1005(a), is amended by deleting the subsection and substituting instead the following:

(a) It is unlawful for a person to knowingly promote, employ, use, assist, transport, or permit a minor to participate in the performance of, or in the production of, acts or material that includes the minor:

(1) Engaging in sexual activity;

(2) Engaging in simulated sexual activity that is patently offensive; or

(3) In a state of nudity, if the defendant knows or reasonably should know that the acts or material will be used for the purpose of sexual arousal or gratification.

SECTION 6. This act shall take effect July 1, 2017, the public welfare requiring it.